



courts in their sound discretion may deny a proposed amendment if the moving party has unduly delayed in filing the motion, if the opposing party would suffer undue prejudice, or if the pleading is futile.” *Soltys v. Costello*, 520 F.3d 737, 743 (7th Cir. 2008) (citing *Campania Mgmt. Co. v. Rooks, Pitts & Poust*, 290 F.3d 843, 848-49 (7th Cir. 2002)). “Delay on its own is usually not reason enough for a court to deny a motion to amend.” *Id.*(citing *Dubicz v. Commonwealth Edison Co.*, 377 F.3d 787, 792-93 (7th Cir. 2004); *Perrian v. O'Grady*, 958 F.2d 192, 194 (7th Cir. 1992)).

In making its ruling, the Court found no undue delay, nor was the motion futile. Defendants are not unfairly surprised that Sumner sought to add a claim for punitive damages, and, as stated in its Order, the Court made no determination at that juncture whether the punitive damages claim would be allowed to go to the jury.

In sum, Defendants present no basis to vacate the Order and no ground upon which reconsideration is proper. *See, e. g., Harrington v. City of Chicago*, 433 F.3d 542, 546 (7th Cir. 2006). *Accord Publishers Resource, Inc. v. Walker-Davis Publications, Inc.*, 762 F.2d 557, 561 (7th Cir. 1985) (Rule 59(e) motions serve a limited function: “to correct manifest errors of law or fact or to present newly discovered evidence.”).

For these reasons, the Court **DENIES** Defendants’ March 17, 2011, motion to reconsider (Doc. 109).

IT IS SO ORDERED.

DATED this 21st day of March 2011

s/Michael J. Reagan  
MICHAEL J. REAGAN  
United States District Judge